

# **EXHIBIT 76**

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack,

My name is [REDACTED] and I'm reaching out and writing this letter on behalf of Mr. Thomas Spota because of the impact that he has had on my life. Throughout my life it has had its up and downs and the biggest blessing has been my journey that started at Hope House Ministries on April 29<sup>th</sup> 2014.

Before that I grew up in Nassau County in a loving family who gave me everything I ever could have asked for. In 2009 I was injured in a work accident, which sent me down a long hard road that in turn led me to abusing prescription pain medication in order to cope with the physical and emotional pain I was suffering. I was in such a deep and dark place that I never thought I could end up and then the best thing happened to me: I was arrested on April 4<sup>th</sup> 2014 and was charged with possession of heroin with the intent to sell. I was facing 1-3 years in prison until my lawyers found out about Hope House Ministries, which is a long-term, non-traditional rehabilitation program that is dedicated to giving young men a second chance to reclaim their lives as an alternative to incarceration.

Because of people like Mr. Spota and his actions as Suffolk County District Attorney, who had given other young men this same opportunity to change their lives around, my judge was inclined to give me the same chance. Even though Mr. Spota didn't directly help me in the way he helped so many other young men who I get to call my brothers, his actions had the same impact on me, and today I have 5 and a half years clean and can say I have reclaimed my life. I'm currently employed by Hope House Ministries and I sit on the board of directors for 3 different charities and it has been the greatest thing to ever happen to me because I get the chance to give back to people and help them the way I was helped when I was at my lowest point in life. Today I get to be a son to my amazing parents and the big brother that my two sisters deserve to have, and it's all possible due to the caring work of people like Mr. Spota.

Respectfully,

[REDACTED]

# **EXHIBIT 77**

Feb. 02, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, NY 11722

Dear Judge Azrack

I am a retired Suffolk County Deputy Sheriff Investigator Sergeant. The last five years of my career was spent as Executive Officer of the Suffolk County Family Court Warrant Squad. I first met Tom Spota when he became the attorney for the Suffolk County Deputy Sheriffs Benevolent Association. I was new to the Sheriffs Department and was not affiliated with any other organizations in Suffolk.

From the beginning, Tom has always been a friendly and outgoing person. He always was accessible and willing to help if asked. I recall a friend telling me he had a relative who was in some trouble and could not find a suitable attorney. I mentioned this to Tom, who contacted the person and gave him professional advice and representation for which he was very grateful. I barely knew Tom at the time, yet he was quick to help.

Over the years I have met and spoken with Tom at union meetings, dinners and other events. He has always been a friendly, outgoing person. The feeling he always gave me was that he truly cares about the people he meets and represents. I have grown very fond of him and would be happy to help if he asked, but true to his nature, he only gives, never takes. Everyone I talk to has only good things to say about him.

I have not spoken with Tom since this problem began. No one has asked me to write a letter on his behalf but I felt compelled to take this small step to help a man who has helped so many in his lifetime. I hope Your Honor will take into consideration all the good he has done.

Respectfully,

  
Frank Mirra



# **EXHIBIT 78**

September 25, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11922

Dear Judge Azrack:

I am a retired prosecutor, having served in the Suffolk County District Attorney's office from January 1986 through December 2017. I served under three different District Attorneys, the best being Tom Spota.

Although I had seen Tom around the Courts as a young prosecutor, it wasn't until 1993 that we handled a case together. The case involved a high profile crime. Given the nature of this case and the intense media and public interest in it, I was, as expected, micromanaged by my executive office. Although most attorneys would have dealt directly with the District Attorney and directly bypassed me, Tom dealt with me through the course of the case. He treated this young prosecutor as a worthy adversary and showed me the same respect I showed him.

Tom won the election for District Attorney and took office in January 2002. Within a month or so, he promoted me to Deputy Bureau Chief of the [Case] Advisory Bureau as I had been acting in that capacity for the previous three years without the pay. As he got to know me, he realized I could do the job well. He promoted me to Bureau Chief of the Bureau within eight months of taking office. I was in that position from 2002 until 2010 when he made me the Bureau Chief of the District Court Bureau. Both Bureaus consisted of all newer ADAs.

Tom was a unique District Attorney in that, in addition to having

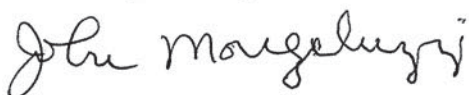
an interest in the prosecutors in the felony bureaus, he also was very interested in getting to know the young prosecutors in the office. He would get to know who they were as well as how they were doing with their cases and in court. He often came to the court in Central Islip and would watch the young ADAs do a hearing or part of a trial. I had been in Central Islip since 1994 and had never seen or heard of his predecessor observing any young ADA. It is important for the newer ADAs to know that bosses care about what and how they are doing at work and I know personally from many of them that it meant a lot to them as they were developing as prosecutors.

Working for Tom as a Chief in the two previously mentioned bureaus was a fulfilling experience. He let me run each bureau as I wished and did not micromanage me in any way. When there were issues that needed to be discussed, he listened. When I made recommendations for promotions or raises for my staff, he listened. As expected, there were some disagreements over the years, but he always listened to my opinion before making his decision. There was never any pressure put on me. I have the utmost respect for him as a person and as the District Attorney.

Accordingly, I am asking this Court to impose a sentence involving no incarceration. If the purpose of jailing someone is to punish, inhibit any future criminal activity and send a message to society, all of these factors have already been met. He was arrested, resigned as District Attorney and withstood a trial. He had to watch as his wife Mary Ellen and his children suffered alongside him. He has lost the ability to practice law which he loved. He has been punished enough. Because he is no longer in any position of power and will not be in the future, there is no chance of any such future criminal activity. This case has been in the media continuously since James Burke was arrested, convicted and sentenced.

The media has reported on Tom's arrest, trial and conviction constantly. Clearly, the public has received the message of what could happen to a person in power ad nauseum. Your Honor, based on the foregoing, incarceration will serve no purpose in this matter. I urge this Court to please act accordingly.

Respectfully,

A handwritten signature in cursive script, appearing to read "John Mangaluzzi".

# **EXHIBIT 79**

Kathleen A. Moran

[REDACTED]

[REDACTED]

January 30, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11772

Dear Judge Azrack:

I am writing this letter on behalf of my former employer, Suffolk County District Attorney Thomas J. Spota. I have known Mr. Spota for over ten years, having been employed in the District Attorney's Office from April 2006 until my retirement in August 2014 and then as an Independent Contractor part time until January 2018. I was the Grants Analyst in the Office, assigned to the Asset Forfeiture Unit. I understand the serious nature of this matter, however, I felt compelled to write to Your Honor so that you may understand how much Tom Spota meant to his staff and so many people in Suffolk County.

I did not know, nor had I met, Mr. Spota prior to my employment in his Office. Prior to my tenure there, I worked in Suffolk County Government since 1998 in the Social Services and Labor Departments. The thing that stood out for me was, shortly after I arrived, Mr. Spota himself came to my Unit to introduce himself, welcome me and wish me luck. This was the first time since coming to the County that an Administrator of this stature took the time to extend such a greeting. I came to find over the years, that this was not unusual for Tom Spota.

In my years employed in the Office, I found an atmosphere of professionalism, hard work and strong ethics by attorneys and support staff alike, and I attributed this to Mr. Spota's leadership. He expected you to do your job and to do it well, but he also showed his appreciation in many thoughtful ways throughout the years. In my capacity as the only Grants Analyst in the Office, he would on occasion question me on various aspects of grant requirements and ask if I was getting the necessary information I needed to satisfy those requirements. I appreciated that he took my job seriously and understood what I had to do to be successful.

I found him to be one of the most respectful and professional, yet also friendly and approachable, administrators I have been fortunate to work for in my forty plus years of active employment. I have always held him in high regard, and still do.

I have been dismayed by the media portrayal of him and feel it does not come close to capturing the true character and moral fiber of the man. During this difficult time I have heard

from many people whose lives he touched, representing them in Court, growing up with him and maintaining that friendship over the years, attending Chaminade High School as classmates and even from a nephew of mine who was friends with his son. They and so many others have expressed their concern and caring for him and offered their support in any way possible.

Tom Spota, in my opinion, and obviously in the opinion of many others, has been a valued public servant for Suffolk County for many years, and a decent human being to all. I implore Your Honor to take the time to consider all the people who love and respect him in his daily life and all the good he has done for so many of us here in Suffolk County, who will be forever grateful to him.


Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Kathleen A. Moran', written in a cursive style.

Kathleen A. Moran

# **EXHIBIT 80**

  
January 22, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack:

I write to provide my thoughts regarding Tom Spota, a friend of more than forty years. During that long period of time, I have personally observed Mr. Spota perform many acts of compassion and fairness -- far too many, in fact, to list here. I will, however, recount a few.

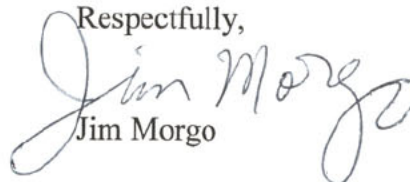
On one occasion, I witnessed his sacrificing his time to find a missing woman in severe psychological distress and possible danger. Tom took his own time and enlisted others to help locate the woman and, after she was found, Tom comforted her and her family. His message to the family that all would be well restored a sense of security to the family. This manifestation of concern and compassion speaks to Tom's character.

I witnessed Tom Spota also display a selflessness to the larger Suffolk County community. Tom was a founding board member of the Wyandanch Homes and Property Development Corporation, a not for profit organization located in the low-income minority hamlet of Wyandanch. Tom contributed countless hours of time and expertise to the organization, whose mission is to provide affordable rental homes and support services to the hamlet's low-income and once-homeless families. Likewise, I observed Tom's service as a director of Suffolk County Community College's Center on the Holocaust, Diversity and Human Understanding. This not for profit promotes human respect and tolerance in all facets of Suffolk County residents' interactions.

In these and in other examples of his service to others, Tom Spota always displayed a humility and a self-deprecating sense of humor. I'm sure he knew that he was performing worthy actions, but he never looked to receive praise or recognition for them.

Now that his sentencing looms, I worry about the toll it will take on this good man and on his remarkable family. Recently Tom said to me, "No matter everything else I've done in my life, this (his conviction) is how I'll be remembered." If that is accurate, then I know deep in my bones that that would be a horrible injustice because Tom Spota is a good, kind, decent and charitable man who is surely deserving of understanding and leniency.

Thank you for your consideration in this matter.

Respectfully,  
  
Jim Morgo

# **EXHIBIT 81**

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, NY 11722

Dear Judge Azrack:

My name is Doug Morrell. I am writing this letter on behalf of my friend Tom Spota.

I had the honor and privilege to serve on the Suffolk County Police Department for 33 years, 1970-2003.

Prior to the Police Department I had the honor of serving in the United States Marine Corps., 1963-1967. I served in Vietnam Oct. '65-Dec '66, I attained the rank of Sergeant. I am extremely proud of my Marine Corps. service. Tom Spota also served in the Marines.

The Marine Corps has a "motto" Semper Fidelis, always faithful. To Tom Spota this is not just a motto it is a way of life. He was always the same, dedicated, strong and even headed in his mission.

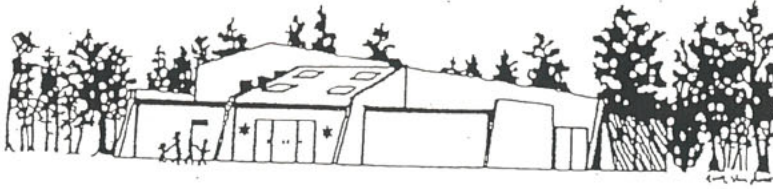
I found Tom Spota to be inspirational, and a true leader. I, in fact, postponed my retirement when Tom became the Suffolk County District Attorney as at the time I was assigned as a Detective in the District Attorney's Lackets Bureau. Over time I got to know Tom's wife Maryellen and in the social setting he was the same, sincere, honest, friendly and above all faithful and steadfast in his beliefs. A leader and true professional.

I am very proud to add that my son Patrick is a colleague of Tom Spota as he is an ADA in Seneca County, NY and has been for about 25 years.

In closing I want to emphasize that I believe that Tom Spota was an inspirational leader to many, many attorneys and police officers as well.

Respectfully,  
Doug Morrell Det. 853 RET.

# **EXHIBIT 82**



*B'nai Israel Reform Temple*

67 Oakdale Bohemia Road, Oakdale, NY 11769  
(631) 563-1660 Fax (631) 563-9816

www.bnai-israel.org

**Rabbi**

Jessica Rosenthal

**Rabbi Emeritus**

Steven A. Moss, D.D., D. Min.

January 16, 2020

**Cantor**

Ilana Plutzer

**President**

Paul D. Weber

**Past-President**

Steven Sonkin

**Vice Presidents**

Seth Berman

David Ellner

Jay Tuller

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack,

**Treasurer**

Michael Lambert

**Financial Secretary**

Joel Silverman

**Recording Secretary**

Deborah Lyons

**Sisterhood Co-Presidents**

Patricia Ellner

Stephanie Plewka

**Brotherhood**

Gil Sacks

I came to know Mr. Tom Spota through my position as Chair of the Suffolk County Human Rights Commission and the Anti-Bias Task Force. I always found him to be a man of great integrity and principle. During his terms as the District Attorney of Suffolk County, he was always supportive of the county's and its communities' efforts to combat racism and bigotry. He was exceedingly helpful to me and my work as the Director of STOPBIAS, which is the county's only educational program for hate crimes offenders.

I pray that Tom's years of admirable service to the county and to the above-mentioned programs will serve to lessen the sentence that is to be placed upon him.

**Trustees**

Barbara Abrams

Natalie Berhumoglu

Jeannette Berman

Deborah Brack

Arthur Diamond

Paul Fink

Thea Gunther

Allen Kaminsky

Debby Lazen

Marcus Mitchell

Richard Motlin

Stephanie Plewka

Rita Porwick

Barbie Saslau

Adrienne Wilber

I am available for any questions at [REDACTED]

Respectfully,

*Steven Moss*

Rabbi Dr. Steven Moss

# **EXHIBIT 83**

ELIZABETH LYNNE NAIBURG



January 17, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack:

It is a rare moment in life when you meet people that leave an indelible mark on your heart. There is never a question that you will form a strong bond, creating a lifetime friendship that culminates in the sharing of not only similar interests, but heartaches, successes and failures. That moment began for me in 2006, when I met Tom and Mary Ellen Spota.

There has never been a time when I have been in their company and not felt the genuine love and respect that they not only have for their family and friends, but most significantly, for each other. As I know firsthand, you cannot share a lifetime into your seventies without it being marked by not only happy moments, but moments that can bring you to your knees. Moments that you can only get through relying on the other's strength, love, kindness and unending love and support, especially in times of struggles.

Like Mary Ellen,



you think that anything more that life throws at you could be overcome with relative ease. Unfortunately, that is just not so, especially when that battle involves the man that stood by your side, uncomplaining, nurturing, and most endearingly, doing for you what you could no longer do for yourself.

My friend Mary Ellen Spota stood by her husband's side, as he did for her years earlier, with her shoulders squared, her unending encouragement, her unwavering love, giving her support, until it brought her to her knees. She watched as her husband lost weight, paced when most of the world slept, and yet she never complained. While insisting on planning Thanksgiving dinner this year, she shared with me that she was doing so with a smile on her face for Tom, their kids, and their grandkids just in case it would be their last. I knew what she meant, as all women

our age do. You are coming into the last stretch of your lives together, and each moment spent together is a gift, with no guarantees of how long you may have left.

I asked my husband just last week if we were to be able to write our own ending, would the last couple of years end with us not being able to feel each other's touch, see each other's smiles, share each remaining milestone achieved by our children and grandchildren, or just take a walk in town? What if I was to die, and he wasn't there to hold me? He answered me without words, only tears in his eyes.

I know that I should probably have written this letter about the many times that Tommy shared with us his laughter, his advice, his encouragement, all without expecting or wanting anything in return, but I know that we have many, many friends who will do that. Instead, I chose to write on behalf of my friend, Mary Ellen, a woman I admire and respect. A woman I can relate to. A woman I know is so afraid of the future, uncertain of what life holds for them.

This honorable Court holds the power to spare Tom and Mary Ellen Spota from spending this last turn in the road alone, and I can only hope that Your Honor will exercise that power by giving them the gift of leniency, allowing them to spend whatever time they have left together.

Respectfully,

A handwritten signature in cursive script, reading "Elizabeth Lynne Naiburg". The signature is written in dark ink and is positioned above the printed name.

Elizabeth Lynne Naiburg

# **EXHIBIT 84**

*The Law Offices Of*  
**ERIC W. NAIBURG, ESQ.**  
*Practice Limited to Criminal Law*

January 18, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack:

I am an attorney, admitted in 1972 to the practice of law in the State of New York. I have also been admitted to practice in the Eastern, Southern and Northern Districts of New York.

Since my admission to the bar I have limited my practice to Criminal Law. I have served as an Assistant District Attorney in Suffolk County; as President of the Suffolk County Criminal Bar Association; as President of the Ulster County Bar Association and as a Special Prosecutor in both Suffolk and Ulster Counties. More importantly, I have known Tom Spota, both professionally and personally, since we began working together in the Suffolk County District Attorney's office 48 years ago.

Writing this letter is probably the most painful thing I have ever been called upon to do. Being asked to write a letter of "recommendation" for Tom Spota, under the present circumstances, seems surreal. When you know someone as a fierce adversary (Tom and I tried two murder cases against each other) and, after the battle was over, to continue a friendship, speaks volumes about the professionalism and character of the man.

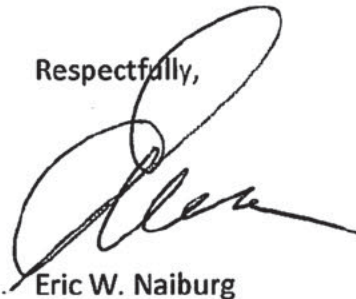
Personally and professionally, Tom has the respect of judges, prosecutors and defense attorneys alike. He was a skilled and professional advocate, both as a prosecutor and defense attorney. To this day I have a clear recollection of the skill exhibited by Tom in the cases we tried against each other. I learned from him, and to this day continue to use the things I learned from Tom. As the District Attorney of Suffolk County Tom ran an office with the highest morale. I never heard a young assistant, or a veteran prosecutor, speak negatively about the office in which they worked.

As an Assistant District Attorney, and as the District Attorney, Tom treated everyone with courtesy and respect. If there were special circumstances Tom would listen and make a judgment based on all of the input. I recall a case where my young client had committed a crime which the District Attorney's Office generally treated rather harshly. This young man also had dreams of joining the military, which dream a conviction would have destroyed. Tom listened to my arguments and structured a resolution which not only served the interests of justice but also permitted my client to fulfill his dream of military service.

I, and my wife, visited the courtroom for a week during Tom's trial. Although it was extremely painful to watch this exceptional man sitting at a defendant's table, it was heartwarming to see the continuing stream of defense attorneys, and former prosecutors, who came to both watch and lend their support to a man that was, and is, so widely respected.

I am a better person for having known Tom Spota. I know I am a better lawyer for having known Tom Spota. Despite everything that has transpired of late, I think Suffolk County is a much better place for having Tom Spota as its chief law enforcement official. Without an iota of reservation, and with the deepest of emotions, I urge that this genuinely exceptional human being be given credit for all that he has accomplished, all the good he has done, and the loving family man that he is.

Respectfully,

A handwritten signature in black ink, appearing to read 'Eric W. Naiburg', with a large, stylized loop at the top.

Eric W. Naiburg

# **EXHIBIT 85**

February 13, 2010

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11772

Dear Judge Azrack,

I started my post-law school career as a Suffolk County Police Officer. After 2 years, I accepted a position in the Suffolk County District Attorney's Office under the late Patrick Henry.

There I became acquainted with Tom Spota and his partners as well-respected defense attorneys.

After four years, I left the Rackets Bureau and went into private practice in Suffolk. Not entirely satisfied, I accepted a position in the U.S. Attorney's Office in Las Vegas, Nevada.

In my 13 years there (1990 - 2003) I served as a line AUSA, Senior Litigation Counsel, and Chief of the Narcotics and Violent Crime Section.

My wife and I missed New York, and so in 2003 I applied for a position with the District Attorney's Office. Tom graciously hired me, and assigned me to the Special Investigation Unit in Hauppauge, where I had close contact with him, as well as James Burke.

Tom was a genial boss, and more importantly, in my view a straight shooter. One of the cases he assigned to me was a political corruption case, and I vividly remember being struck by his integrity, telling me, "Tommy I don't care where this leads, what political party might end up with an interest, just take it where it goes."

I also served as liaison to the U.S. Attorney's Office in Central Islip and Brooklyn.

For personal reasons, including the facts that our four sons remained in the Western United States, and I frankly missed practicing in federal court, I only worked in Tom's office for a little less than a year. At the end of 2003, my wife and I returned West and I finished my 20 year career with DOJ as an AUSA in the Northern District of California, retiring in 2013.

I mentioned that I worked with James Burke during my time with Tom. In fact, I had already known him from my days as a cop, a very active 3rd Precinct cop, in Central Islip and Brentwood. I believe this is relevant inasmuch as I have an understanding of the mindset of Suffolk County police officers. I understand the importance of trust and loyalty which they must have in one another.

I am also well familiar with the tightrope the police must walk as they do their job effectively, but properly.

To be sure, Burke crossed the line and did not merit such trust or loyalty.

I feel that after so many years of association with him, since the Pius case, Tom developed such a degree of loyalty to Burke that it blinded him, and that this case was a consequence of his clearly misplaced loyalty.

Loyalty is a virtue. But I'm sure that in hindsight Tom has questioned his actions, probably every sleepless night since this scandal unfolded. However, I would respectfully suggest that these factors, as well as his advanced age, should be considered in mitigation regarding his sentence. There is obviously no chance of recidivism.

The public humiliation he has experienced, and the pain and stress he and his family have endured, is difficult to overstate.

Your Honor, I was known as a very tough prosecutor. However, I took the power entrusted to me very seriously, and I always endeavored to temper justice with mercy where appropriate.

I believe this is a case which deserves serious consideration of the latter.

Thank you for taking the time to read this letter.

Respectfully,



Thomas M. O'Connell



# **EXHIBIT 86**

February 4, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack:

In hopes to persuade you to determine as lenient a sentence as possible for Thomas Spota, I write this letter.

I have known Tom for over 40 years in both a professional and personal relationship. During that time I have experienced Tom to be totally professional and dedicated to the well being and welfare of the entire law enforcement community in Suffolk County, NY.

As the former President and founder of the Suffolk Detectives Association bargaining unit, I established a very close professional relationship with Tom who, during my seventeen (17) year tenure as President, and thereafter, was the legal counsel for the SDA. Tom represented members of the SDA bargaining unit (all Detectives) in matters involving collective bargaining, disciplinary hearings, labor relations and community relations. Tom earned and gained the respect of our members and other law enforcement organizations as well. His reputation and stellar performance garnered the full support and endorsement for the elected office of District Attorney from not only all law enforcement organizations in Suffolk County, but those, as well, from the Metropolitan NY/Long Island area, including Nassau County and New York City. Upon election to said office, his reputation was only enhanced, to no one's surprise, which resulted in his being unopposed and cross-endorsed by the major political parties in three (3) subsequent campaigns for re-election.

During his tenure as District Attorney, my relationship with Tom became even stronger, recognizing his major accomplishments and accolades from both the private and public sectors. His reputation was that of a fair-minded, honest and respected prosecutor. At no time during Tom's position as legal counsel for the SDA and formative years as District Attorney was this opinion tarnished in any way, shape or form – until this matter brought before Your Honor for closure. It is my hope that his public and private career, in whole, will be a major consideration for Your Honor when you pass sentence.

I would be remiss if I didn't speak to my personal relationship with Tom over the last several years. As stated previously, I continue, to this day, to respect and admire Tom as a close friend and confidant. While he was District Attorney, I retired from the SCPD in August of 2003 and was elected to the Suffolk County Legislature, serving two and a half years, and subsequently Commissioner of Public Safety for the Town of Brookhaven. We continued our personal relationship during this period of time, often meeting at various events, dinners with our spouses and even vacationing together. We obviously enjoyed each other's company and I often marveled at the wide respect and admiration he received from numerous private citizens throughout the county. I do not believe that this recognition was because of his position, but rather his reputation

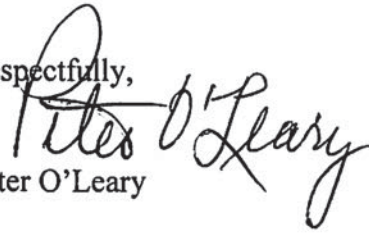
The Honorable Joan M. Azrack  
February 4, 2020  
Page 2

as a good, decent, honorable man who enhanced the reputation of the DA's Office as an entity that was providing for the safety and welfare of the residents of Suffolk County.

Most recently, I have had conversations with Tom regarding his recent conviction after trial. I can tell you that Tom is absolutely devastated by the turn of events. As a family man, he is obviously very concerned for his wife, Mary Ellen, his children and grandchildren and, most importantly, to his fate awaiting the sentencing and its potential effect on him and his entire family. Tom is not a young man and will be turning 80 years old next year. I urge and beg of Your Honor to please take into account Tom's stellar, unsullied, unblemished and outstanding career both in private and public employ, before the matter warranting your attention.

I strongly believe that Tom must be given every consideration, weighing his entire career. With that, I beseech Your Honor to determine the most lenient sentence as possible for Tom.

Respectfully,

  
Peter O'Leary

# **EXHIBIT 87**

March 16, 2020

The Honorable Joan M. Azrack  
United States District Court  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack:

I am writing to entreat the Court to be lenient in the sentencing of Tom Spota.

I have known Tom Spota and his wife, Mary Ellen, for more than forty years. As close friends, we have joined in celebrations together, and we have consoled one another through life's difficulties. Over the years, we have shared the same stories, been scarred by the same sorrows, and been sustained by the same values.

I'm sure the Court has been acquainted with Tom's record of public service, including his time in the Marines and his work as a career prosecutor, but what of the man? Who is he?

To my way of thinking, Tom has remained the same over the years, maintaining his good-naturedness, insight, generosity, compassion and trustworthiness. Despite his high intellect, there is not a trace of pretentiousness in his character. He is equally at home in analyzing a legal issue, discussing the political challenges of the day, telling a funny anecdote or sharing a song around the piano. His life's work has been informed by decency and high principles. He is a devout Catholic. He is a devoted husband, father and grandfather who keeps his family in his heart's core, always. Moreover, Tom is a true friend. [REDACTED]

[REDACTED], it was Tom in whom we confided because we knew he would keep the matter confidential and provide us with guidance. Tom's advice is always worth taking, for it is the consummate mixture of sound judgment and a belief that things will get better. His voice has been, and remains, a blessed affirmation.

There is much to lament in the world for it can be a cruel place, but when I have cause to be supported by a dear friend, I am both relieved and uplifted. That's how I feel about Tom Spota. He is my mind's treasure and my heart's delight, for in him I see all that is well and good in the world.

Your Honor, I pray you will take into consideration the full measure of this man in rendering your judgment.

Respectfully,



Kathleen M. O'Rourke

# **EXHIBIT 88**

August 21, 2020

Roy W. Pannenbacker



The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack:

I am writing to you on behalf of Thomas Spota.

I have had the good fortune of knowing Mr. Spota since his first election to the office of Suffolk County District Attorney. I began working at the office of the Suffolk County District Attorney in January of 2000. I was employed as a Detective Investigator, initially employed in the "White Collar Crime" unit.

Mr. Spota formally introduced himself to the office staff at the onset of his employment. He formulated a significant bond with the entire staff. He created an atmosphere of genuine interest and appreciation for the entire staff.

In 2002, Mr. Spota formed a new bureau, investigating "government corruption" and related crimes. I was assigned to this unit, having had a prior career in investigating fraudulent insurance crimes. Mr. Spota was successful in obtaining technical service equipment for this unit, and afforded all individuals assigned to the unit the appropriate tools and training necessary for the unit's success.

Many of the cases investigated by the unit involved Hispanic communities, and the victimization of people in these communities. Mr. Spota assigned Spanish-speaking investigators to this unit. He established a Community Outreach program. A network of police corruption and drug trafficking was thereby uncovered. Specifically, a Suffolk County police supervisor was arrested for stealing from Hispanic day workers. This police officer was arrested and convicted in said case. This arrest reassured a level of trust of law enforcement within the Hispanic community.

I served as a Union Board representative for the Suffolk County Detective Investigators. This required negotiations and meetings with state officials in Albany. Mr. Spota was held in high regard among all state officials with whom I came into contact.

I have spent my adult life in Suffolk County. Numerous friends and personal contacts hold Mr. Spota in high regard. He is a humble, kind, and sincere individual, who accomplished numerous positive outcomes in the County of Suffolk.

I personally express my gratitude for having worked under his ultimate supervision for 14 years.

Respectfully,

A handwritten signature in black ink, appearing to read "Roy W. Pannenbacker". The signature is written in a cursive, flowing style with a large initial "R".

Roy W. Pannenbacker

# **EXHIBIT 89**

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

February 7, 2020

Dear Judge Azrack,

My first knowledge of Tom Spota was when he was elected District Attorney. I was immediately impressed with his anti-corruption goals and was gratified to see that he followed through with those promises after he was in office.

Shortly after he was elected, Tom and his wife, Mary Ellen, joined us with a group of friends who regularly went to dinner and the theater. It was during these dinners over many years that I got to know and love Tom and Mary Ellen.

Tom's decency and love of his family was apparent in every one of the many dinner conversations. Although he didn't talk about ongoing investigations, the anguish he experienced when he investigated sexual abuse by Roman Catholic priests was clear to see. As a Catholic myself and a mother, the situation was painful on so many levels. Despite the pain, Tom had a job to do and he did it. I was, and still am, proud to call him a friend.

Although Tom has always been an upbeat, optimistic person, over the past few years while the accusations and trial were hanging over his head, I have seen the change in him. Some of that spirit is broken. I cannot imagine what would happen if he were to be taken away from Mary Ellen and his family for any length of time.

Respectfully,

A handwritten signature in black ink that reads "Barbara Parr". The signature is written in a cursive, flowing style.

Barbara Parr

# **EXHIBIT 90**

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

February 7, 2020

Dear Judge Azrack,

As a businessman in Suffolk County for over 50 years and a personal friend of Tom Spota's for the last 20 of those years, I have known Tom to be a dedicated public servant who has brought many criminals to justice.

His honesty and dedication brought him so much respect and love from the public and his peers that he twice successfully ran for office unopposed.

As a general contractor, I have been sensitive to the issue of competitors who were not paying their employees the prevailing wage. Not only is it an egregious injustice to those who can least afford to be cheated out of their wages, but it is also a crime. Tom is the only District Attorney that I know of who vigorously enforced this law, bringing justice to those who need it and several millions of dollars to the county.

I have always admired Tom's personal honesty. Over the years at many social gatherings, he has always insisted on paying his fair share and unlike many people in public office, has never once asked for a political contribution.

Getting to know Tom and Mary Ellen over many years, I have developed a deep respect for them and their values. To witness the love they have for each other and their family is refreshing.

Knowing the good that Tom has done for so many people and the dedication and hard work he has done for the public, it is unimaginable that at this late point in his life that he would be taken away from his wife and family. The damage that the accusations and trial have done to his reputation and family is punishment enough.

Respectfully,

A handwritten signature in black ink, appearing to be 'RP' or similar initials, written over a horizontal line.

Ronald Parr